


SO ORDERED.

SIGNED this 16th day of October, 2009.




LEIF M. CLARK
UNITED STATES BANKRUPTCY JUDGE

UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION

IN RE:

CASE NO. 09-52647

PREMIER GENERAL HOLDINGS, LTD.,

DEBTOR.

INVOLUNTARY CHAPTER 7 CASE

**ORDER DISMISSING INVOLUNTARY PETITION OF DILLON WATER
RESOURCES, L.P. AND DEAN DAVENPORT**

On September 30, 2009, came on to be heard the Motion of the Alleged Debtor, PREMIER GENERAL HOLDINGS, LTD., for an Order Dismissing Involuntary Petition (Docket Text No. 5). The Petitioning Creditors, DILLON WATER RESOURCES, LP, appeared by and through its designated representative, DEAN DAVENPORT, and counsel. The Petitioning Creditor, DEAN DAVENPORT, appeared in person and with counsel. The Alleged

Debtor, PREMIER GENERAL HOLDINGS, LTD., appeared through its designated representative, MARK WYNNE, and counsel.

The Court made its findings of fact and conclusions of law on the record and they are incorporated herein by reference pursuant to Bankruptcy Rule 7052.

The Court finds that an Involuntary Petition was filed by the Petitioning Creditors on July 16, 2009. The Court finds that the Alleged Debtor, PREMIER GENERAL HOLDINGS, LTD., is not an appropriate candidate to have an Order for Relief entered against it as contemplated by 11 U.S.C. §303.

It is the Order of the Court that the Involuntary Petition filed pursuant to 11 U.S.C. §303 is DISMISSED.

The Court finds that upon the entry of this Order and in the event no party files a Motion for Reconsideration or Notice of Appeal within the time provided by law the automatic stay as provided by 11 U.S.C. §362 shall cease.

The Court finds that it is entitled to and does retain jurisdiction of this case as contemplated by 11 U.S.C. §303(i). The Court finds that a hearing should be conducted in regards to whether an award of costs, attorney's fees, compensatory damages, and punitive damages is warranted; and the claims asserted in the Counter-Claim brought by the Alleged Debtor; and whether the imposition of sanctions against petitioners and their counsel is appropriate pursuant to Rule 9011 of the Bankruptcy Rules. It is therefore,

ORDERED, ADJUDGED AND DECREED that the hearing on said matters shall be held on the 15th day of December, 2009 at 9:30 a.m. in the United States Bankruptcy Court for the Western District of Texas, San Antonio Division, 615 E. Houston Street, Courtroom No. 1, 3rd

Floor. It is further,

ORDERED, that all parties are allowed to conduct discovery regarding the subject matter of said hearing.

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